

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

ADESSO Homeowners' Association, *as* )  
*controlled by the Owners since April 23,* )  
 2013, ADESSO Horizontal Property )  
 Regime, William Durkin and Sam Vause, )  
 Jr. individually and on behalf of all others )  
 similarly situated and Emad Tadros, M.D, )  
 as Trustee of the Grace Living Trust as )  
 owner of all retail units )

Plaintiffs, )

-vs- )

Holder Properties, Inc.; )  
 ADESSO/Columbia, LLC; Drake/Adesso, )  
 LLC; Holder Adesso, LLC; JRH Adesso, )  
 LLC; JRH, LLC; John R. Holder, )  
 Individually; ADESSO Homeowners )  
 Association *as controlled by the* )  
*Developers prior to April 23, 2013;* Niles )  
 Bolton Associates, Inc.; Browder + )  
 LeGuizamon and Associates, Inc.; Hussey, )  
 Gay, Bell & DeYoung, Inc., Consulting )  
 Engineers; Jordan & Skala Engineers, Inc.; )  
 Key Construction, Inc.; Ace Glass )  
 Company, Inc.; Advanced Door Systems, )  
 Inc.; All-South Electrical Constructors, )  
 Inc.; Aquarian Pools of Columbia, Inc.; )  
 Artistic Enterprises, Inc.; Fernandez )  
 Contractors International, Inc. d/b/a )  
 Benzach, Inc.; Commercial Building )  
 Services, Inc.; Capitol City Custom Iron )  
 Works & Fence, LLC; Flooring Services, )  
 Inc.; Gill Plumbing Company; Guardian )  
 Fence Suppliers of SC, Inc.; Hester )  
 Drywall, Inc.; Holland Roofing, Inc.; SDI )  
 Solutions, LLC d/b/a I-Sys Corporation; )  
 Jamco Doors; JR Hobbs Co.; Loveless )  
 Commercial Contracting, Inc.; Reliance )  
 Interiors, Inc.; Southern Fireproofing )  
 Company, Inc.; Southern Vistas, Inc.; SRS )  
Concrete Finishing; Stafford Consulting )

Case No. 3:16-cv-710-JFA

**STIPULATED ORDER OF DISMISSAL  
WITHOUT PREJUDICE AS TO  
DEFENDANTS DRAKE/ADESSO, LLC;  
HOLDER ADESSO, LLC; JRH ADESSO,  
LLC; JRH, LLC; AND JOHN R.  
HOLDER, INDIVIDUALLY**

Engineers, Inc.; Taylor Brothers )  
 Construction Company, Inc.; Winston )  
 Steel LLC d/b/a Winston Steel & Stair Co.; )  
 Andersen Windows, Inc.; Carlisle )  
 Construction Materials Incorporated; )  
 Silver Line Building Products, LLC; )  
 GrayStone of Florida, Inc.; and Dryvit )  
 Systems, Inc. )  
 )  
 Defendants. )

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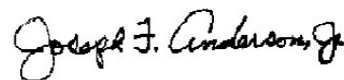
This matter comes before the Court upon motion of the Plaintiffs. The Plaintiffs stipulate to the dismissal of Defendants Drake/Adesso, LLC; Holder Adesso, LLC; JRH Adesso, LLC; JRH, LLC; and John R. Holder, Individually without prejudice. This stipulation of dismissal without prejudice is subject to the Tolling Agreement attached as Exhibit A and incorporated herein by reference.

It is therefore, ORDERED that the Defendants Drake/Adesso, LLC; Holder Adesso, LLC; JRH Adesso, LLC; JRH, LLC; and John R. Holder, Individually are dismissed **without prejudice** subject to the Tolling Agreement.

If Plaintiffs reinstate their claim against Defendants Drake/Adesso, LLC; Holder Adesso, LLC; JRH Adesso, LLC; JRH, LLC; and John R. Holder, Individually as allowed by the Tolling Agreement, such reinstatement of the claim may be accomplished without further order from this Court.

**IT IS SO ORDERED.**

July 11, 2016  
 Columbia, South Carolina



Joseph F. Anderson, Jr.  
 United States District Judge

WE SO STIPULATE:

RICHARDSON PLOWDEN & ROBINSON, P.A.

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JRH Adesso, LLC; JRH, LLC; and John R. Holder,  
Individually

**EXHIBIT A**

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Case No. 3:16-cv-710-JFA

Plaintiffs, )

**TOLLING AGREEMENT**

-vs- )

Holder Properties, Inc.; )  
 ADESSO/Columbia, LLC; Drake/Adesso, )  
 LLC; Holder Adesso, LLC; JRH Adesso, )  
 LLC; JRH, LLC; John R. Holder, )  
 Individually; ADESSO Homeowners )  
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 Company, Inc.; Advanced Door Systems, )  
 Inc.; All-South Electrical Constructors, )  
 Inc.; Aquarian Pools of Columbia, Inc.; )  
 Artistic Enterprises, Inc.; Fernandez )  
 Contractors International, Inc. d/b/a )  
 Benzach, Inc.; Commercial Building )  
 Services, Inc.; Capitol City Custom Iron )  
 Works & Fence, LLC; Flooring Services, )  
 Inc.; Gill Plumbing Company; Guardian )  
 Fence Suppliers of SC, Inc.; Hester )  
 Drywall, Inc.; Holland Roofing, Inc.; SDI )  
 Solutions, LLC d/b/a I-Sys Corporation; )  
 Jamco Doors; JR Hobbs Co.; Loveless )  
 Commercial Contracting, Inc.; Reliance )  
Interiors, Inc.; Southern Fireproofing )

Company, Inc.; Southern Vistas, Inc.; SRS )  
 Concrete Finishing; Stafford Consulting )  
 Engineers, Inc.; Taylor Brothers )  
 Construction Company, Inc.; Winston )  
 Steel LLC d/b/a Winston Steel & Stair Co.; )  
 Andersen Windows, Inc.; Carlisle )  
 Construction Materials Incorporated; )  
 Silver Line Building Products, LLC; )  
 GrayStone of Florida, Inc.; and Dryvit )  
 Systems, Inc. )  
 )  
Defendants. )

The Plaintiffs and Defendants Drake/Adesso, LLC; Holder Adesso, LLC; JRH Adesso, LLC; JRH, LLC; and John R. Holder, Individually (“Defendants”) agree as follows:

1. Plaintiffs will dismiss Defendants without prejudice from the above-captioned lawsuit in return for the below stated provision.

2. Defendants agree that if the Plaintiffs refile their claim against Defendants within one (1) year after the date of filing of the Order of Dismissal without Prejudice, then the date of filing shall revert back to the original filing date. If Plaintiffs refile their claims against Defendants after one (1) year, the date of filing shall be the actual date of the refile.

3. Nothing in this Tolling Agreement shall be construed as to abridge or diminish any rights or defense of Defendants, in the event that the Plaintiffs reinstate their claims against Defendants in this matter.

4. Nothing in this Tolling Agreement shall be construed to affect the Plaintiffs’ claims against any other party to this matter.

This Agreement may be executed by counsel for any party and shall bind the party, and it may be executed in multiple counterparts.

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